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12
13 UNITED STATES DISTRICT COURT
14
15 NORTHERN DISTRICT OF CALIFORNIA
16
17 SAN JOSE DIVISION

18 *E-FILED - 1/19/07*

19
20 UNITED STATES OF AMERICA,) No. CR 06-00361 RMW
21 Plaintiff,)
22 v.) **UNITED STATES' PROPOSED
23 FINDINGS OF EXCLUDABILITY OF
24 TIME UNDER THE SPEEDY TRIAL
ACT [18 U.S.C. §§ 3161 *et seq.*]**
25 CATHY LYNN LONGLEY,) Date: N/A
26 Defendant.) Time: N/A
27
28 _____)

19
20 COMES NOW THE UNITED STATES OF AMERICA, represented by Assistant United
21 States Attorney Gary G. Fry, and, pursuant to an oral order of the court issued on January 8,
22 2007, files proposed written findings excluding time from the requirements of the Speedy Trial
23 Act, 18 U.S.C. §§ 3161 *et seq.* Said findings conform to those first made orally from the bench
24 on January 8, 2007.

25 Date: January 8, 2007

26 KEVIN V. RYAN
27 United States Attorney

28 /S/

GARY G. FRY
29 Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 06-00361 RMW
14 Plaintiff,) **ORDER OF THE COURT EXCLUDING**
15 v.) **TIME FROM THE SPEEDY TRIAL**
16 CATHY LYNN LONGLEY,) **ACT [18 U.S.C. §§ 3161 *et seq.*]**
17 Defendant.)

Date: N/A
Time: N/A

On motion of the United States, made orally on January 8, 2007, and without objection from the defendant, the court FINDS as follows.

In this case, the defendant has sought to unseal records held by the family court of Santa Clara County that she believes are relevant to settlement efforts. Counsel for the defendant was recently advised that her motion had been granted by the state court, with some modifications, and the records are available to be picked up. The defendant moved for a continuance to January 29, 2007, to allow time to get the records, provide them to the prosecutor, and then discuss settlement.

Therefore, under 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice served by a delay of 21 days (*i.e.*, from January 8 to January 29, 2007) outweigh the best

1 interests of the public and the defendant (who has not objected) in a speedy trial. Accordingly,
2 the court excludes the period of time from January 8, 2007, to January 29, 2007, or 21 days, from
3 the time limits set forth in the Speedy Trial Act.

4 Therefore, based on the foregoing, the court ORDERS that a period of 21 days, *i.e.*, from
5 to January 8, 2007, to January 29, 2007, is hereby excluded from the period of time that trial in
6 this matter would otherwise have to commence under the Speedy Trial Act, 18 U.S.C. §§ 3161 *et*
7 *seq.*

8 IT IS SO ORDERED.

9
10 Date: 1/19/07


11 HON. RONALD M. WHYTE
12 United States District Judge
13 Northern District of California